

IN THE MATTER OF MERCHANT MARINER'S DOCUMENT NO. Z-506350-D3
AND ALL OTHER SEAMAN DOCUMENTS
Issued to: George W. Littlewood

DECISION OF THE COMMANDANT
UNITED STATES COAST GUARD

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George W. Littlewood

In accordance with 46 CFR 137.12, the decision in the case of subject seaman, dated 2 August 1960 at San Francisco, California, has been called up for review for the purpose of modifying the order of twenty years' suspension imposed by the Examiner.

This suspension resulted after Littlewood pleaded guilty to charges of wrongfully failing to perform his assigned duties while serving as an able seaman on the United States SS MORMACMAR on 7, 8 and 12 January 1960. The guilty pleas also applied to the allegations that, on the first two of these dates, this conduct was due to seaman's intoxication. The ship was in port on all three dates.

After concluding that Littlewood was guilty as charged, the Examiner put into effect a prior twenty-year suspension which had been ordered by another examiner on 23 April 1957 and then suspended while Littlewood was placed on five years' probation. This earlier order was imposed after Littlewood was found guilty of failure to perform his duties due to intoxication on four dates in 1955. The order was intended by the Examiner to act as a strong deterrent because of the seaman's prior record of intoxication. It was not appealed by Littlewood.

Undoubtedly, corrective action is desirable in this case because of the repeated offenses of the same nature. Nevertheless, it is my opinion that the period of twenty years' suspension is excessive, particularly in view of the regulations which permit a seaman to apply for a new document, without assurance of obtaining it, either one or three years after it has been revoked, depending upon the type of offense. 46 CFR 137.03-30. In this case it would have been one year if Littlewood's documents had been revoked. Accordingly, the order will be reduced from twenty years to one year.

ORDER

The order of the Examiner dated at San Francisco, California,

on 2 August 1960, is modified to provide for a suspension of one year. This order also cancels any further effect which might otherwise be given to the Examiner's order of 23 April 1957 except to be shown as part of the prior record of this seaman.

As so MODIFIED, said order is AFFIRMED.

J. A. Hirshfield
Vice Admiral, U. S. Coast Guard
Acting Commandant

Dated at Washington, D. C., this 28th day of October 1960.

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